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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/759,104	01/20/2004	Takashi Ono	02410288US	6952

7055 7590 08/07/2006

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EXAMINER

KRAMER, DEVON C

ART UNIT PAPER NUMBER

3683

DATE MAILED: 08/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Claim Rejections - 35 USC § 102

- 1) The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

- 2) Claims 1-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Kobayashi et al (5687817).

In re claims 1, 12 and 18, Kobayashi et al provides a disc brake for a vehicle comprising: a caliper bracket (11) fixed to a vehicle body; a pair of caliper support arms (figure 13) striding an outer periphery of a disc rotor in a disc axial direction, pad guide grooves (16) formed in the caliper support arms so as to be opposed to each other; friction pads (10) disposed on both sides of the disc rotor, the friction pads having ears (15) projected from both side portions of a back plate thereof, and pad retainers (31) disposed on the pad guide grooves, the ears of the friction pads being movably supported by the pad guide grooves via and between receiving portions (31a) of the pad retainers; wherein pad retainers each has pad returning portions (32a) for urging the friction pads away from the disc rotor, the pad returning portions extending between the receiving portions and in contact with the ear of the friction pads so as to urge the friction pads away from the disc rotor. Please note that the outward force of member 32a, holds the pad in place when the pad approaches the loop portion.

In re claims 2-3, 5-8, 11, 13-17 and 19-20, Kobayashi et al provides an elastic loop portion near 32.

In re claim 4, the grooves of Kobayashi et al can be considered to be formed by bracket-shaped grooves.

In re claim 9-10, see figure 14.

Response to Arguments

3) Applicant's arguments filed 6/16/06 have been fully considered but they are not persuasive. In re claim 1, applicant argues that the spring portions are not pad falling off prevention portions. Please note that the portion of the spring member 32a that is towards the loop, acts as a pad falling off prevention portion because the force is pushing toward the other spring portion holding the other ear. Further, the loop portion provides some spring force to keep the pads from moving beyond the loop. In order to overcome this rejection applicant should separately claim the structure of the pad returning portions and the pad falling off prevention portions. In re claim 12, please note that if the elongated strip (32a) were not longer than a distance by which the ears of the friction pad is to be worn, the caliper would not operate correctly and most likely the spring would end up to constantly bias the pad toward the rotor.

Conclusion

4) **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

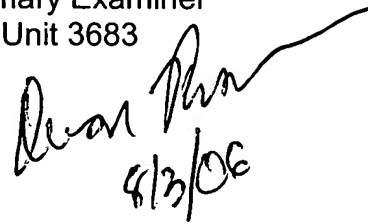
5) Any inquiry concerning this communication or earlier communications from the examiner should be directed to Devon C. Kramer whose telephone number is 571-272-7118. The examiner can normally be reached on Mon-Fri 8-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James McClellan can be reached on (571)272-6786. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3683

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Devon C Kramer
Primary Examiner
Art Unit 3683



4/3/06

DK